

REMARKS

Claims 1-26 are pending. Claims 1, 18 and 24-26 are independent.

Claim Amendments

Claim 1 has been amended to correct a minor clerical error.

Examiner Interview

Applicant's representative wishes to thank Examiner Hiller for the interview accorded him on September 8, 2004. During the interview, Applicant's representative explained the differences between the Applicants' claimed invention and the Gao patent cited in the Office Action.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 12-16, 18, 19 and 26 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,581,094 (hereinafter "Gao") in view of U.S. Patent No. 6,327,628 (hereinafter "Anuff") and U.S. Patent No. 5,860,073 (hereinafter "Ferrel"). Claims 3-11, 17, and 20-25 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Gao, Anuff, and Ferrel in view of U.S. Patent No. 6,088,702 (hereinafter "Plantz"). Based on the following remarks, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

In order to establish a prima facie case of obviousness under 35 U.S.C. § 103, each and every element of the claimed invention must be disclosed in the combination of art applied. Because at least one element of Applicant's claimed invention is not disclosed in the combination of applied art, Applicant respectfully submits that no prima facie case of obviousness has been established.

Claim 1 is exemplary:

1. (currently amended) A system comprising:
a content definition editor that receives a content definition;

a data structure generator that produces a content data structure, the content data structure corresponding to the content definition;

a content item editor that receives content item information, and provides the content item information for storage in the content data structure;

a template editor that generates formatting information for the content item information and stores the formatting information separately from the content ~~items~~ item information;

a publisher that generates a formatted output ~~for the content item~~ based on the content item information and the formatting information.

First, Gao fails to teach or suggest "a content definition editor that receives a content definition." In fact, Gao does not disclose an editor of any kind. Anuff and Ferrel do nothing to remedy this defect.

Second, Gao fails to teach or suggest "a data structure generator that produces a content data structure, the content data structure corresponding to the content definition." Gao does not disclose a data structure generator of any kind. Further, Gao does not disclose a content data structure. Gao discloses a Unified Device Descriptor which is a simple text file, not a data structure. Anuff and Ferrel do nothing to remedy these defects.

Third, Gao fails to teach or suggest "a content item editor that receives content item information, and provides the content item information for storage in the content data structure." In fact, Gao does not disclose an editor of any kind. Anuff and Ferrel do nothing to remedy this defect.

Claims 18 and 24-26 contain elements similar to those discussed above. Each of claims 2-17 and 19-23 depend, directly or indirectly, from claim 1 or 18. Therefore the rejection of claims 2-26 is traversed for at least the reasons given above.

Because at least one element of Applicant's claimed invention is not disclosed in the combination of applied art, Applicant respectfully submits that no prima facie case of obviousness under 35 U.S.C. § 103 has been established.

Applicant submits that all of the claims are now in condition for allowance, which action is requested.

Applicant : Knotz et al.
Serial No. : 09/696,627
Filed : October 25, 2000


Attorney Docket No.: PLM009001

Page: 8

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. However, should there remain unresolved issues that require action, it is respectfully requested that the Examiner telephone Richard A. Dunning, Jr., Applicant's Attorney, at 831.420.0561 so that such issues may be resolved as expeditiously as possible.

Date: 10/12/04
Law Office of Richard A. Dunning, Jr.
343 Soquel Avenue
Suite 311
Santa Cruz, CA 95062
Telephone: 831.420.0561
Facsimile: 413.541.0092

Respectfully submitted,


Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502